

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00485

James Ruyle,
Petitioner,

v.

Eddie Northcutt et al.,
Respondents.

ORDER

Petitioner James Ruyle, an inmate of the Texas Department of Criminal Justice, proceeding pro se, filed this civil action against state district judges, prosecutors, and district clerks in Hopkins County, Texas. The court construed the petition as an application for the writ of habeas corpus and transferred to the case to the Tyler Division, where petitioner was incarcerated. The case was referred to United States Magistrate Judge K. Nicole Mitchell.

Prison records show petitioner was released on parole on February 10, 2022. He has not contacted the court nor furnished his current mailing address since that time. The magistrate judge issued a report recommending that the petition be dismissed for failure to prosecute. A copy of this report was sent to plaintiff at his last known address but was returned as undeliverable.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The application for the writ of habeas corpus is dismissed for failure to prosecute.

So ordered by the court on January 23, 2023.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge